

# DEPARTMENT OF STATE

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## Annual Report FY '06 **Janice K. Brewer** **Secretary of State**

### ADMINISTRATION



### ELECTION SERVICES

### BUSINESS SERVICES



### PUBLIC SERVICES

DEPARTMENT OF STATE – ARIZONA SECRETARY OF STATE

**Janice K. Brewer**

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## FY '06 Annual Report

FY '06 Annual Report

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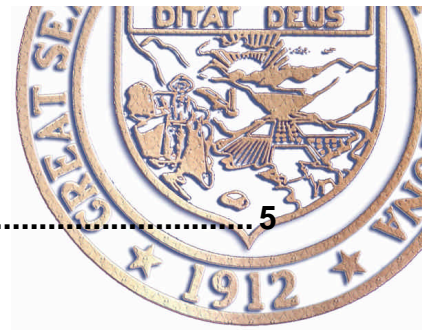
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*The Public Services Division produced this report.*

*Project Manager, Scott Cancelosi.*

# Table of Contents



<b>About the Office .....</b>	<b>5</b>
Contact Information .....	5
Mission Statement .....	5
Agency Description .....	5
Office Duties .....	6
Secretaries of State Since Statehood .....	7
<b>The Brewer Administration .....</b>	<b>8</b>
Janice K. Brewer - The Secretary of State .....	8
Contact Information .....	9
Mission Statement .....	9
Description .....	9
Key Staff .....	10
Administration FY '06 Statistics .....	10
Certificates Issued .....	10
State Seal Usage .....	10
Actions of the Governor .....	11
Legislative Resolutions & Memorials Transmitted .....	13
Legislative Resolutions to the Voters of Arizona .....	14
Programs & Success Stories .....	15
Web site Improvements .....	15
<b>The Business Services Division .....</b>	<b>16</b>
Contact Information .....	16
Mission Statement .....	16
Description .....	16
Key Staff .....	17
Arizona Revised Statute Duties .....	17
Business Services FY '06 Statistics .....	18
Partnerships .....	18
Intergovernmental Agreements .....	18
Athlete Agent Registrations .....	18
Trademarks .....	18
Trade names .....	19
Uniform Commercial Code .....	19
Other Business Services Registrations .....	19
Notary Filings and Related Duties .....	19
Programs & Success Stories .....	20
Notary Workshops .....	20
Advance Directives .....	20
<b>The Election Services Division .....</b>	<b>21</b>
Contact Information .....	21
Mission Statement .....	21
Description .....	22
Key Staff .....	22
Arizona Revised Statutes Duties .....	22
Election Services FY '06 Statistics .....	24
Candidates/Public Officers .....	24
Initiative/Referendum .....	24
Publicity Pamphlet/Propositions .....	24
Principal/Public Bodies/Lobbyist .....	25
Campaign Finance .....	25
Programs & Success Stories .....	26
Voter Outreach .....	26
Election Officer Education, Training and Certification Programs .....	26

Identification at the Polls .....	28
Brewer Voting Action Plan .....	28
Statewide Voter Registration System (VRMZ) .....	29
Accessible Voting Devices .....	30
Language and Physical Accessibility .....	30
Military and Overseas Voters .....	30
EZ Voter .....	30
Know Before You Go .....	31
<b>The Public Services Division .....</b>	<b>32</b>
Contact Information .....	32
Mission Statement.....	32
Description .....	32
Key Staff.....	33
Arizona Revised Statutes Duties.....	33
Public Services FY '06 Statistics.....	35
County Notices published under A.R.S. § 49-112 .....	35
Governor's Executive Orders published - A.R.S. § 41-1013(B)(2) .....	36
Governor's Regulatory Review Council (GRRRC) .....	36
Notice of Agency Guidance Document .....	36
Notice of Agency Ombudsmen .....	36
Notices of Public Hearings.....	36
Notice of Substantive Policy Statements .....	37
Notice of Proposed Delegation Agreement.....	37
Notice of Public Information .....	37
Rules Filed .....	37
Page Counts for Rule Publications .....	38
Rulemaking Package Filings By Type of Notice .....	39
Number of Filings by Month .....	40
Number of Filings by Chapter .....	40
Paper Subscriptions (Number of Paper Subscribers).....	44
Legislative Filings .....	44
Other Filings .....	44
Publications Printed and Distributed .....	44
Programs & Success Stories .....	45
Legislative Filings .....	45
Administrative Rules Records Retention .....	45

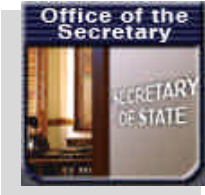
## HISTORY OF THE OFFICE



## About the Office

**Old Capitol Office** This is the Secretary of State's office in the old capitol building. It is now part of the Capitol Museum at 1700 W. Washington. The Secretary of State's Office is currently housed on the 7<sup>th</sup> Floor of the Executive Tower and has a customer service center in the capitol mall. (Photo by Scott Cancelosi)

### Contact Information



Offices hours are: 8 a.m. to 5 p.m., Monday – Friday  
Phone: 602.542.4285 Toll-free: 800.458.5842 TDD: 602.255.8683

**Capitol Office (Mailing Address)**  
Secretary of State's Office  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007

### Mission Statement

The mission of the Office of the Secretary of State is to carry out its constitutional and statutory mandates which are to receive and record filings from governmental bodies and the general public; to provide election services to counties and candidates for office; to register and certify business transactions; to publish official acts of the state of Arizona including its chapter laws and rules; to appoint notaries public; and to carry out these mandates in a manner compatible with the requirements and expectations of the constituencies the office serves.

### Agency Description

**T**he Department of State was created by the constitution and is headed by a publicly elected secretary of state, who serves as acting governor in the absence of the governor, and succeeds the governor should a vacancy occur.

The Secretary of State's office is primarily a filing office with duties set in the Arizona Constitution and Arizona Revised Statutes.

- The secretary of state is the official keeper of the Great Seal of the State of Arizona.
- The Secretary of State's office receives and records various filings, including Uniform Commercial Code transactions, trademark and trade name registrations, charity filings, limited partnership and limited liability partnership filings.
- The office administers election functions, including canvass and certification of state-wide elections, registration of lobbyists and acceptance of periodic lobbyist filings, and campaign finance filings;

publishes all official acts of the State of Arizona including Chapter laws, the *Arizona Administrative Code* and the *Arizona Administrative Register*, appoints notaries public, and authenticates notaries public and certain public officials for documents sent to foreign locations.

## Office Duties

Arizona Revised Statutes § 41-121.

The secretary of state shall:

1. Receive bills and resolutions from the legislature, and perform such other duties as devolve upon the secretary of state by resolution of the two houses or either of them.
2. Keep a register of and attest the official acts of the governor.
3. Act as custodian of the great seal of this state.
4. Affix the great seal, with the secretary of state's attestation, to public instruments to which the official signature of the governor is attached.
5. File in the secretary of state's office receipts for all books distributed by the secretary of state and direct the county recorder of each county to do the same.
6. Certify to the governor the names of those persons who have received at any election the highest number of votes for any office, the incumbent of which is commissioned by the governor.
7. Publish slip laws of each act of the legislature promptly upon passage and approval of such act, make such acts available to interested persons for a reasonable fee to compensate for the cost of printing and provide each house of the legislature and the legislative council with a certified copy of each bill or resolution, showing the chapter or resolution number of each, as each is filed in the secretary of state's office.
8. Keep a fee book of fees and compensation of whatever kind and nature earned, collected or charged by the secretary of state, with the date, the name of the payer and the nature of the service in each case. The fee book shall be verified annually by the secretary of state's affidavit entered in the fee book.
9. Perform other duties imposed on the secretary of state by law.
10. Report to the governor on January 2 each year, and at such other times as provided by law, a detailed account of the secretary of state's official actions taken since the secretary of state's previous report together with a detailed statement of the manner in which all appropriations for the secretary of state's office have been expended.
11. Transfer all noncurrent or inactive books, records, deeds and other papers otherwise required to be filed with or retained by the secretary of state to the custody of the Arizona state library, archives and public records.
12. Make available to the public, without charge, title 33, chapter 11 on the secretary of state's web site.
13. Accept, and approve for use, electronic and digital signatures that comply with section 41-132, for documents filed with and by all state agencies, boards and commissions. In consultation with the government information technology agency, the department of administration and the state treasurer, the secretary of state shall adopt

rules pursuant to chapter 6 of this title establishing policies and procedures for the use of electronic and digital signatures by all state agencies, boards and commissions for documents filed with and by all state agencies, boards and commissions.

14. Meet at least annually with personnel from the federal voting assistance office of the United States department of defense and with county recorders and other county election officials in this state to coordinate the delivery and return of registrations, ballot requests, voted ballots and other election materials to and from absent uniformed and overseas citizens.

Other duties are listed in statute and can be found throughout this annual report.

### **Secretaries of State Since Statehood**

- Janice K. Brewer (R), January 2003 – present
- Betsey Bayless (R), 1997 – 2002
- Jane Dee Hull (R), 1995 – 1997
- Richard Mahoney (D), 1991 – 1995
- James "Jim" Shumway (D), 1988 – 1991
- Rose Mofford (D), 1977 – 1988
- Wesley Bolin (D), 1949 – 1977
- Curtis Williams (D), 1948 – 1949
- Dan E. Garvey (D), 1942 – 1948
- Harry M. Moore (D), 1939 – 1942
- James H. Kerby (D), 1933 – 1939
- Scott White (D), 1931 – 1933
- I.P. "Ike" Frazier 1929 – 1931
- J.C. Callaghan (R), 1929
- James H. Kerby (D), 1923 – 1929
- Ernest R. Hall (R), 1921 – 1923
- Mit Simms (D), 1919 – 1921
- Sidney P. Osborn (D), 1912 - 1919

ADMINISTRATION



## The Brewer Administration

**Winged Victory** This statue is atop the Capitol Dome in Phoenix, Ariz. Known as Winged Victory, she is a wind vane that rotates proudly over the Capitol campus. (Photo by Michael Brewer)

### Janice K. Brewer - The Secretary of State

Janice K. Brewer was elected Arizona Secretary of State on Nov. 5, 2002. She was sworn into office on Jan. 6, 2003. Secretary of State Brewer serves as acting governor when the governor is out of state. She is first in the line of succession to the office of the governor.

Among other duties, the Secretary of State serves as the chief elections officer of the state, registers all lobbyists and charitable organizations, commissions all notary publics, files secured financial transactions under the Uniform Commercial Code, and is the official custodian of the great seal of Arizona.



Secretary Brewer brings more than 24 years of public service to the secretary of state's office. As a dedicated public servant she has always been committed to making government more accessible and efficient.

As chief elections officer, Secretary Brewer made it a top priority to introduce and pass legislation which makes it easier for our overseas military soldiers and permanent residents to participate in our election process. This new law specifically assists those men and women serving our country abroad to register or to vote by fax or send registration information via the Internet.

Under Secretary Brewer's leadership, Arizona is now among the nation's leaders in election reform and ensuring access to the democratic process:

- We are the first and only state in the entire country that provides its citizens the ability to register to vote or modify their current voter registration electronically over the Internet.
- Arizona was among the first to replace its antiquated punch card voting devices (no more hanging chads) with secure and proven technology that includes an auditable paper record.
- Arizona was also one of the first states in the entire country to successfully implement a statewide voter registration database that ensures the voter rolls are clean and accurate.



- Voter registration has increased under the Brewer Administration to the highest rate in recent Arizona history, including an 18 ½ percent increase in 2004.

Before she became Secretary of State, Ms. Brewer was Chairman of the Maricopa County Board of Supervisors -- the nation's fourth most populous county with over 3 million residents -- serving for nearly six years. Secretary Brewer also served in the Arizona State Legislature for 14 years, first as a state representative from 1983 to 1986, and then, as state senator from 1987 to 1996. As senator, she held the leadership position of Majority Whip from 1993 to 1996. In the Legislature, Secretary Brewer served on several committees covering issues from health care to taxes.

Secretary Brewer has also served as: a governor's appointee on the Governor's Military Task Force dealing with base closure issues; the vice-chairman of Arizona Criminal Justice Commission (ACJC), where she worked with members of the criminal justice community to reduce crime in Arizona; vice-chairman of WESTMARC, a coalition of business and government leadership which focuses on economic development and growth issues; as Chairman of the Board of Directors for META Services Inc., a behavioral health service provider, and served as Co-Chairman of the Continuum of Care organization dealing with homeless issues including the new Maricopa County Homeless campus.

Secretary Brewer is also very active in many community and professional affiliations. She was a founding member of Luke Fighter Country Partnership that is dedicated to preserving Luke Air Force Base, she is a board member of Arizonan's for Children, a member of the Westside Food Bank, the Arrowhead Republican Women's Club, the Maricopa County SMI Commission, the Arizona Rifle and Pistol Association, and the Japanese-American Citizens League.

Secretary Brewer is married to Dr. John Brewer and is mother of three sons. She is an active member of Life in Christ Lutheran Church in Glendale. Secretary Brewer has lived in Arizona since 1970.

## Contact Information



### Write the Secretary of State

Honorable Janice K. Brewer, Secretary of State  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007  
Phone: 602.542.0681 Fax: 602.542.1575  
[www.azsos.gov](http://www.azsos.gov)  
e-mail: [sosadmin@azsos.gov](mailto:sosadmin@azsos.gov)

The Secretary of State's main office and mailing address is located at the state capitol in Phoenix, 1700 W. Washington Street, in the executive tower on the seventh floor.

## Mission Statement

To provide guidance, leadership, and support to the staff of the Secretary of State's office.

## Description

The administration anticipates the increasing expectations of the public, candidates, elected officials, media, and business community in order to provide timely and efficient filing and retrieval of information through advanced automation.

The Secretary of State's office is responsible for maintaining a record of all official acts of the governor during the year [A.R.S. § 41-121(2)], and to account for the official acts of the secretary of state including issuance and attachment of the Great Seal of the State of Arizona to documents that are filed [A.R.S. § 41-130(4)].

Administration keeps track of all secretary of state correspondence; loyalty oath filings [A.R.S. § 38-233]; extraditions; Eagle Scout certificates; and grants/denies permission for the use of the Great Seal of the State of Arizona [A.R.S. § 41-121(3)].

As the state's chief election officer, the secretary of state files in the office receipts for all books distributed by the secretary of state and direct the county recorder of each county to do the same [A.R.S. § 41-121(5)]. Certifies to the governor the names of those persons who have received at any election the highest number of votes for any office, the incumbent of which is commissioned by the governor [A.R.S. § 41-121(6)].

Computer information systems, budget and fiscal operations, and human resources are all managed under administration.

The Secretary of State's office keeps documentation of filings and registrations made within its divisions, as well. Counts of these transactions are tabulated throughout this report where available. Citations to the Arizona Constitution, Arizona Revised Statutes (A.R.S.) and *Arizona Administrative Code* (A.A.C.) are also included in this annual report.

## Key Staff

**Kevin Tyne:** Deputy Secretary of State (A.R.S. § 41-122, Assistant Secretary of State), responsible for day-to-day office operations. His duties include but are not limited to: preparation of the office budget, is in charge of human resource issues, is the liaison between the media and the office, and handles all legislative duties, among other duties.

**Bill Maaske:** Chief Information Officer, responsible for the Secretary of State's computer network, including the Secretary of State Web site; phones and maintenance of office electronics.

**Susan Myers:** Financial Officer, responsible to support the Secretary of State with human resource duties. She maintains financial accounts, payroll, and procurement of office goods and services.

## Administration FY '06 Statistics

Administration recorded, filed or prepared:

<b>Certificates Issued</b>	<b>Number</b>
Eagle Scout certificates	46
Girl Scout Gold Award certificates	0
Camp Fire Wohelo certificates	0
Certificates of Special Recognition	0
Arizona State Flag certificate	142
United States Flag certificate	62
<b>State Seal Usage</b>	
Permission granted to use the state seal	25
Denied use the state seal under A.R.S. § 41-130	2
Request to cease using seal under potential violation of A.R.S. § 41-130	1

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## Actions of the Governor

Secretary of State's office has kept record and/or attested to the following actions of the governor:

- Agent's Appointments – 246
  - Approval of Applicable Elected Representative – 9
  - 1. Variable Rate Demand Multifamily Housing Revenue Bonds
  - 2. \$15,000,000 Arizona Housing Finance Authority Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program) Series 2005
  - 3. Health Facilities Revenue Bonds (Southeastern Arizona Behavioral Health Services, Inc.) \$5,500,000
  - 4. Arizona Health Facilities Authority \$494,000,000 for the use and benefit of Catholic Healthcare West
  - 5. Hospital Revenue Bonds in the maximum aggregate principal amount of \$200,000,000 by University Medical Center Corporation
  - 6. Bonds issued 9,500,000 by The Industrial Development Authority of the City of Somerton, AZ to Goodwill Industries of Central Arizona
  - 7. Arizona Health Facilities Authority issues bonds of \$5,000,000 for the use and benefit of La Frontera Center, Inc.
  - 8. Arizona Housing Finance Authority - \$30,000,000 - Single Family Mortgage Revenue Bonds
  - 9. Arizona Higher Education Loan Authority
  - Approval of Proposed Annexation – 3
  - 1. Town of Jerome
  - 2. Town of Fountain Hills
  - 3. Town of Wickenburg
  - Approval of Request for Judgeship – 2
  - 1. Approval for Request for superior court judgeship for Navajo County
  - 2. Two Additional Superior Court Judges for Pima County
  - Authentication – 1
- First Regular Session of the Forty-seventh Legislature
- Certificates – 90

- Certificates of Appointment – 282
- Certificates of Appreciation – 573
- Certificates of Approval – 10

Resolution 04-234 containing canvass of the regular election and indicating the passage of each of these items

Resolution 04-44 pertaining to City Manager, Powers and Duties

Resolution 04-43 pertaining to vacancies in the Office of the Mayor and Council

Charter Amendments to the City of Glendale

Amendments to the Charter of the City of Douglass

Approval of the amendments to Article II, Sections 7 and 9 and Article VIII, Sections 1,2,3,4, and 5 of the Charter of the City of Avondale, Maricopa County, Arizona.

Certificate of Approval by the Governor of the State of Arizona - approve Proposition 100, as submitted and approved by the qualifies electors of the City of Nogales, Arizona on November 8, 2005, as an amendment to Chapter II Section 4.

Charter Amendments to the Charter of the City of Prescott

Governor's Approval for Purchase of Arizona Game and Fish Commission Acquisition Coal Mine Springs Phase II Property

Governor's Approval of Charter Amendments - City of Mesa

- Certificates of Excellence – 28
- Certificates of Free Sale – 174
- Certificates of Special Recognition – 216
- Certification of Appointments – 787
- Certification of Change in District – 3

1. State Land Department - Big Sandy Natural Resource Conservation District and Hualapai Nation Soil and Water Conservation District

2. Pima Natural Resource Conservation District and Santa Cruz Natural Resource Conservation District

3. Santa Cruz Natural Resource Conservation District

- Clemency

Clemency Denied – 44

Proclamation of Clemency – 16

- Declaration of Emergencies – 8
- Executive Agreements – 19
- Executive Orders – 28, 16 from July 1, 2005 through Dec. 31, 2005; 10 from Jan. 1, 2006 through June 30, 2006. Executive orders can be viewed online at the Arizona State Library, Archives and Public Records website.
- Extraditions – 184
- Land Patents – 14
- Loyalty Oaths – Loyalty oaths of governor's appointments and judges (Oaths taken, appointments from July 1, 2005 to June 30, 2006) – 663
- Notices of Appointment – 741
- Proclamations – 650
- Proclamation by the Governor Calling Special Session – 1

Calling a Special Session of the 47th Legislature of the State of Arizona: Funding and appropriations for English Language Learning Programs in the public schools of the State of Arizona

- Requisitions – 247
- Terminations of State of Emergency – 6

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## **Legislative Resolutions & Memorials Transmitted**

In her official duties, Secretary Brewer prepares cover letters and transmits memorials and resolutions passed each legislative session. Transmittal letters are posted online at the Secretary of State's web page. They included:

47th Legislature, Second Regular Session (2006)

**HCR 2053** Honoring Justice Sandra Day O'Connor for her Exceptional Record of Public Service, transmitted to Sandra Day O'Connor on 02/22/06

**HR 2002** Honoring Richard C. Houseworth, transmitted to Richard C. Houseworth on 02/15/06

**HCM 2001** Urging the United States Congress to enact a 2007 Farm Bill that is Supportive of the Specialty Crop Industry, transmitted to the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona on 04/12/06.

**HCM 2018** Urging the United States Congress to Enact an Agricultural Commuter Worker Permit Program, transmitted to the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona on 05/02/06.

**HCM 2011** Urging the United States Congress to permanently repeal the death tax, to dissolve United States membership in the United Nations and to remove specific areas relating to faith from the jurisdiction of the United States Supreme Court. HCM 2011 was transmitted to the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona on 05/10/06.

**HCM 2021** Urging the United States President and Congress to permit emergency workers and equipment to cross the international border with Mexico to address emergencies that threaten both sides of the border. HCM 2021 was transmitted to the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona on 05/10/06.

**HCM 2007** Urging the United States Congress to repeal the federal excise tax on telecommunications, transmitted the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona on 05/10/06.

**HJR 2001** Supporting the Establishment of Official Immigration and Customs Enforcement Auxiliaries in this State transmitted to each member of Congress from the State of Arizona and to the Secretary of Homeland Security on 05/10/06.

**HR 2004** In Remembrance of Dale Earnhardt, transmitted to the family of Dale Earnhardt on 05/10/06.

**SCM 1003** Urging the United States Congress to reject attempts to lower the mortgage index deduction in the internal revenue code, transmitted to the president of the United States Senate, the speaker of the United States House of Representatives and each member of Congress from the state of Arizona. SCM 1003 was transmitted on 05/10/06

**HCM 2002** Urging the United States to authorize funding for the Navajo Health Foundation/Sage Memorial Hospital. HCM 2002 was transmitted to the president of the United States Senate, the speaker of the United States House of Representatives, the United States Secretary of Health and Human Services and each member of Congress from the state of Arizona on 05/10/06.

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### **Legislative Resolutions to the Voters of Arizona**

**HCR 2056** Relating to local property tax levies. The secretary of state shall submit this proposition to the voters at the next general election as provide by Article XXI, Constitution of Arizona.

**SCR 1031** Enacting and ordering the submission to the people of a measure relating to public program eligibility. The Secretary of State shall submit this proposition to the voters at the next general election as provided by Article IV, Part 1, Section 1, Constitution of Arizona

**SCR 1001** Relating to standing in civil actions. The secretary of state shall submit this proposition to the voters at the next general election as provided by Article XXI, Constitution of Arizona.

**SCR 1033** Enacting and ordering the submission to the people of a measure relating to probation for methamphetamine offenses. The secretary of state shall submit this proposition to the voters at the next general election as provided by Article IV, Part 1, Section 1, Constitution of Arizona

**HCR 2001** Relating to municipal debt. The secretary of state shall submit this proposition to the voters at the next general election as provided by Article XXI, Constitution of Arizona

**HCR 2036** Relating to English as the official language. The secretary of state shall submit this proposition to the voters at the next general election as provided by Article XXI, Constitution of Arizona

**HCR 2045** Relating to state trust lands; Providing for conditional repeal and conditional enactment. Submission to voters; conditional enactment: The secretary of state shall submit this proposition to the voters at the next general election as provided by Article XXI, Constitution of Arizona

## Programs & Success Stories

### Web site Improvements

The Secretary of State's Web site was updated to include a new main page with easy-to-use pull-down menus and a search engine. Quick links also made it easier to find the most requested Secretary of State Web pages.

The office continued to maintain the established file structures, but included vision for the future with server-side includes and cascading style sheets (css) for quick changes in design and fonts.

The Secretary of State's web site now has new links translated into Spanish that deal with election and voting information. The "Informacion Para Votantes" section of the site provides voting information to Arizona's Spanish speaking citizens about important election dates, how to register to vote, election grievance procedures, and how to submit arguments for or against ballot measures.



BUSINESS FILINGS & NOTARY COMMISSIONS



## The Business Services Division

**Customer Service Center** This is the Secretary of State's Customer Service Center located at 14 N. 18<sup>th</sup> Ave. (Photo by Scott Cancelosi)

### Contact Information



**General Phone: 602.542.6187**  
Charities/Telemarketing: 602.542.6187  
Limited Partnerships: 602.542.6187  
Notary Public: 602.542.4758  
Trademark/Trade Names: 602.542.6187  
Uniform Commercial Codes: 602.542.6187

**Fax: 602.542.7386**  
e-mail: [charities@azsos.gov](mailto:charities@azsos.gov)  
e-mail: [partnerships@azsos.gov](mailto:partnerships@azsos.gov)  
e-mail: [notary@azsos.gov](mailto:notary@azsos.gov)  
e-mail: [trades@azsos.gov](mailto:trades@azsos.gov)  
e-mail: [ucc@azsos.gov](mailto:ucc@azsos.gov)

### Business Services Mailing Address:

Secretary of State's Office  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007

### Walk-in filings - The Secretary of State's business filings are conducted at two locations:

#### Customer Service Center

14 N. 18th Ave., Phoenix, Arizona 85007

This location is conveniently located across the street from the Capitol executive tower in downtown Phoenix.

#### Secretary of State Satellite Office

400 W. Congress, 2nd Floor, Room 252, Tucson, Arizona 85701

This office is located in the governor's southern Arizona office complex in Tucson.

### Mission Statement

To process public filings and maintain a database and record of all filed documents and to provide timely access to such records to the general public.

### Description

The Business Services Division exists to centralize state-wide registration of trade names, trademarks, limited partnerships, limited liability partnerships, limited liability limited partnerships, charities, telephone solicitors, contracted fund-raisers, athlete agents, Advance Directives and to perfect Uniform Commercial Code (UCC) financing statements in an efficient and timely manner for the general public.



The Business Services Division also oversees the commissioning of notaries public for the state, issues apostilles and certificates, and certifies notarizations, rules, and law.

### **Key Staff**

**Gene Palma:** Director, responsible for division operations, strategic planning, human resources and legislation.

**Joann Cota:** Assistant Director, responsible for the daily activities of division operations.

### **Arizona Revised Statute Duties**

The Business Services Division, files, registers and/or produces:

Advance Directives, files, maintains a database [A.R.S. § 36-3291]

Apostilles and Certificates issued for documents going to a foreign country [A.R.S. Title 41, Ch. 2, Art. 2, 325-326]

Athlete Agents Registration [A.R.S. Title 15, Ch. 13, Art. 10, 1761-1776]

Charitable Organization (charities) Registration [A.R.S. Title 44, Ch. 19, Art. 1, 6551-6561]

City Charters [A.R.S. Title 9, Ch. 2, Art. 5, 283]

Contracted Fundraisers Registration [A.R.S. Title 44, Ch. 19, Art. 1, 6554]

Copyrighted Music Rights [A.R.S. Title 44, Ch. 24, Art. 1, 6901-6907]

Dance Studios Contracts [A.R.S. Title 44, Ch. 11, Art. 10, 1741-1750]

Health Spas [A.R.S. Title 44, Ch. 11, Art. 13, 1791-1796]

Intergovernmental Agreements (IGAs) [A.R.S. Title 11, Ch. 7, Art. 3, 951-954]

Notaries - complaints filed, actions on complaints [A.R.S. Title 41, Ch. 2, Art. 2, 331]

Notaries Public Commission [A.R.S. Title 41, Ch. 2, Art. 2, 311-332]

Out of State Landlord Agents for Service or “Jurisdiction and service of process” [A.R.S. Title 33, Ch. 10, Art. 1, 1309]

Partnerships Registration [A.R.S. Title 29, Ch. 1 through 5]

Public Meeting Notices [A.R.S. Title 38, Ch. 3, Art. 3.1, 431.02(A) (1)] Public notice of all meetings of public bodies shall be given as follows: The public bodies of the state shall file a statement with the secretary of state stating where all public notices of their meetings will be posted and shall give such additional public notice as is reasonable and practicable as to all meetings.

Revocation of Certificate, Suspension, Re-issuance (reinstatement) of a suspended or revoked certificate - Board of Technical Registration [A.R.S. § 32-128(I) Title 32, Ch. 1, Art. 1, 101-150]

Telemarketers or telephone solicitors Registration [A.R.S. Title 44, Ch. 9, Art. 6, 1271-1281]

Trade Name Registration (business names) [A.R.S. Title 44, Ch. 10, Art. 3.1 1460-1460.05]

Trademarks Registration (logos) [A.R.S. Title 44, Ch. 10, Art. 3, 1441-1456]

Uniform Commercial Code (UCC) Registration i.e. financing statements [A.R.S. Title 47, Ch. 9]

## Business Services FY '06 Statistics

The Business Services Division of the Secretary of State's office recorded, filed or prepared:

Type of TRANSACTION or FILING	Number
<b>The Business Services Division has accepted the following number of initial and subsequent filings and annual reports in Fiscal Year 2006:</b>	
<b>Partnerships</b>	
General Partnerships	7
Limited Partnerships	871
Limited Liability Partnerships	220
Limited Liability Limited Partnerships	316
Foreign Limited Partnerships	283
Foreign Limited Liability Partnerships	29
Foreign Limited Liability Limited Partnerships	5
<b>The Business Services Division administers the following number of recorded Limited Partnerships:</b>	
General Partnerships	23
Limited Partnerships	19,284
Foreign Limited Partnerships	5,581
Limited Liability Partnerships	2,492
Foreign Limited Liability Partnerships	151
Limited Liability Limited Partnerships	1,759
Foreign Limited Liability Limited Partnerships	30
<b>Intergovernmental Agreements</b>	
<b>In Fiscal Year 2006, the Business Services Division filed:</b>	
New Intergovernmental Agreements	722
Intergovernmental Agreements Amendments	493
<b>Athlete Agent Registrations</b>	
Athlete Agent Registrations	27

The Business Services Division of the Secretary of State's office currently administers:

Type of TRANSACTION or FILING	Number
<b>Trademarks</b>	
Trademarks (currently administers)	15,035
The division filed the following documents related to trademark records	
Applications	1,059

Renewals	415
Amendments	111
Assignments	112
Cancellations	20
Corrections	94
<b>Mailings related to trademark records</b>	
Reminders	2,199
Certificates	6,826
<b>Trade names</b>	
Trade names (currently administers)	160,983
<b>The division filed the following documents related to trade name records</b>	
Applications	30,415
Renewals	6,303
Amendments	1,053
Assignments	1,536
Cancellations	498
Corrections	1,677
<b>Mailings related to trade name records</b>	
Reminders	22,442
Certificates	89,858
<b>Uniform Commercial Code</b>	
Uniform Commercial Code (currently administers)	350,647
Uniform Commercial Code transactions	77,388
<b>Other Business Services Registrations</b>	
Telephone Solicitors	258
Contracted fund raisers	85
Charities	3,947
<b>The Business Services Division currently administers:</b>	
Athlete Agent Registrations	112
Intergovernmental Agreements	1,215

<b>Notary Filings and Related Duties</b>	
Notary Commissions	78,310
<b>Actions related to Notaries &amp; Notarizations (Issued and affixed the Great Seal of Arizona)</b>	
Certificates of Apostilles/ Authentication for Notaries Public	26,124
Certificates of Notary Public Appointments	21,676
Certificates of Authentication	8,176
<b>Notary Complaints</b>	
Complaints filed	124
Complaints resolved	106
Number of Administrative Hearings SOS was a party to	22
Number of Settlement Conferences SOS was a party to	35

## Programs & Success Stories

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### Notary Workshops

The Business Services Division conducted state-wide Notary Workshops and handed out new updated Notary Handbooks to Arizona notaries. The workshops were free and attendance increased more than 50 percent over the previous fiscal year.

Registration was made simple with online sign-up and certificates of attendance were given to the notary participants.

Notary Workshops Conducted state-wide	49
Number of people attending workshops	2,398

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### Advance Directives

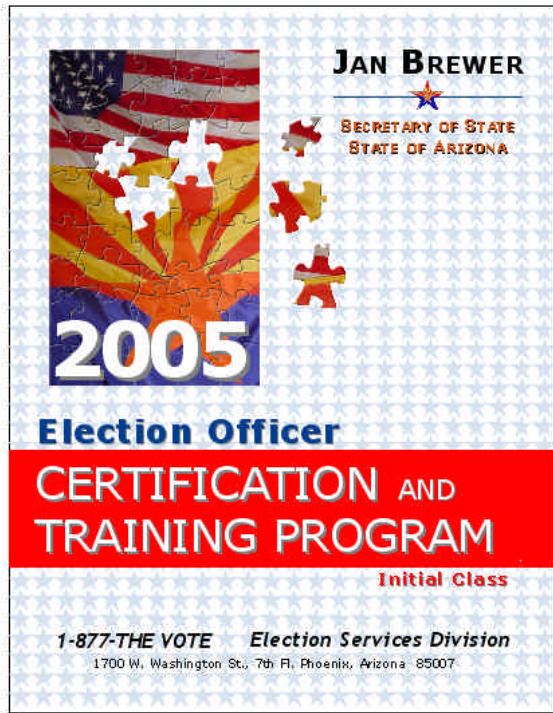
Filings of Advance Directives remained strong as a new link was provided on the re-designed Secretary of State Web site. A new helpful information packet title *"Your Free Guide to Advance Directives"* was also sent to Arizonans upon request.

Total Advance Directives administered is 7219

Total registered from July 1, 2005 to June 30, 2006 - 2913



ELECTION SERVICES



## The Election Services Division

**Training Program a Success** Updated training manuals made it easier for state election officers to find Arizona and Federal election information in FY '06.



### Contact Information

Phone: 602.542.8683 Fax: 602.542.6172

e-mail: [elections@azsos.gov](mailto:elections@azsos.gov)

Voter Outreach/Fraud Hotline: 877-THE VOTE e-mail [vote@azsos.gov](mailto:vote@azsos.gov)

### Mailing Address and all election-related filings:

Election Services Division  
Secretary of State's Office  
1700 W. Washington St., 7<sup>th</sup> Floor  
Phoenix, AZ 85007

### Mission Statement

The mission of the Election Services Division is to provide professional, courteous service in the administration of campaign finance and lobbyist laws; candidate and ballot filings; training and certification of county recorders and election officials; review and certification of election equipment used by the counties; logic and accuracy tests prior to each election on counties' vote counting devices; and retrieval of filings for the public upon request.

## Description

**T**he Election Services Division certifies state candidates, initiatives and referenda for the ballot; transmits and certifies the results of statewide elections; registers and accepts filings for lobbyists; accepts and files campaign finance reports; tests and certifies voting devices used by the counties; and trains and certifies county election officials among other filing duties.

## Key Staff

**Joseph Kanefield:** Director, responsible for division operations; human resources; planning and operations.

**Kris Waite:** Assistant Director, responsible for daily division operations and support to division director.

## Arizona Revised Statutes Duties

### Candidates/Public Officers

Candidates' Nomination Petition papers to run for office [A.R.S. § 16-312]

Judge/Justice filings for retention [AZ Const. Art. VI § 38]

Financial Disclosure Statements filed by Candidates for office [A.R.S. § 16-311]

Primary Election Certificates of Nomination [A.R.S. § 16-645]

General Election Candidate Certificates of Election [A.R.S. § 16-650]

Judge/Justice Certificates of Retention [A.R.S. § 16-650]

Annual Financial Disclosure Statements filed by Public Officers and Judges [A.R.S. § 38-542]

### Initiative/Referendum

Initiative Petitions filed by the People [AZ Const. Art. IV Part 1]

Signatures filed for verification for Initiative Petitions filed by the People [A.R.S. § 19-121]

### Logic & Accuracy (L& A) Tests

Primary Election L&A Testing [A.R.S. § 16-449]

General Election L&A Testing [A.R.S. § 16-449]

### Publicity Pamphlet

Pamphlets Printed [A.R.S. § 19-123(A)]

Pamphlet distributed to households with registered voters [A.R.S. § 19-123(A) (B)]

Arguments submitted for/against propositions [A.R.S. § 19-124]

Ballot Proposition Education - Town Halls [A.R.S. § 19-123(D)]

**Principal/Public Bodies/Lobbyist**

**PRINCIPAL**

Initial registrations filed [A.R.S. § 41-1232]

Amendments to registration filed [A.R.S. § 41-1232]

Terminations to Principal Registration filed [A.R.S. § 41-1232]

Annual Reports filed [A.R.S. § 41-1232.02]

Delinquent Annual Reports turned over to the Attorney General's Office [A.R.S. § 41-1237]

**PUBLIC BODY**

Initial registrations filed [A.R.S. § 41-1232.01]

Amendments to registration filed [A.R.S. § 41-1232.01]

Terminations to Public Body Registration filed [A.R.S. § 41-1232.01]

Annual Reports filed [A.R.S. § 41-1232.03]

Delinquent Annual Reports turned over to the Attorney General's Office [A.R.S. § 41-1237]

**LOBBYIST**

Lobbyist registrations filed [A.R.S. § 41-1232.05]

Quarterly Expenditure Reports filed

Principal Lobbyist [A.R.S. § 41-1232.02(B)]

Public Body Lobbyist [A.R.S. § 41-1232.03(B)]

Delinquent Quarterly Reports turned over to the Attorney General's Office [A.R.S. § 41-1237]

**CAMPAIGN FINANCE**

Statements of Organization [A.R.S. § 16-902.01]

Campaign Finance Reports [A.R.S. § 16-913]

**CLEAN ELECTIONS**

Applications for Certification as a Participating Candidate [A.R.S. § 16-947]

Qualifying Contribution Slips [A.R.S. § 16-950]

### Election Services FY '06 Statistics

The Election Services Division of the Secretary of State's office accepted the following documents for filing or handled the following matters in Fiscal Year 2006:

#### Candidates/Public Officers

Candidates' Nomination Petition papers to run for office	269
Judge/Justice filings for retention	0
Financial Disclosure Statements filed by Candidates for office	226
Primary Election Certificates of Nomination	0
General Election Candidate Certificates of Election	0
Judge/Justice Certificates of Retention	0
Annual Financial Disclosure Statements filed by Public Officers and Judges	406

#### Initiative/Referendum

Initiative Petitions filed by the People	10
Signatures filed for verification for Initiative Petitions filed by the People	1,076,610

#### Publicity Pamphlet/Propositions

Pamphlets Printed	0
Pamphlet distributed to households with registered voters	0
Propositions ( <i>See related "Legislative Resolutions to the Voters of Arizona" pg. 14</i> )	19
PROP 100 Proposed amendment to the Arizona Constitution by the legislature relating to bailable offenses	
PROP 101 Proposed amendment to the Arizona Constitution by the legislature relating to property tax levies	
PROP 102 Proposed amendment to the Arizona Constitution by the legislature relating to standing in civil actions	
PROP 103 Proposed amendment to the Arizona Constitution by the legislature relating to English as the official language	
PROP 104 Proposed amendment to the Arizona Constitution by the legislature relating to municipal debt	
PROP 105 Proposed amendment to the Arizona Constitution by the legislature relating to state trust land	
PROP 106 Proposed amendment to the Arizona Constitution by the initiative relating to state trust land	
PROP 107 Proposed amendment to the Arizona Constitution by the initiative relating to marriage	
PROP 200 Proposed by initiative petition relating to voter rewards	
PROP 201 Proposed by initiative petition relating to smoking	
PROP 202 Proposed by initiative petition relating to the minimum wage	
PROP 203 Proposed by initiative petition relating to early childhood education	
PROP 204 Proposed by initiative petition relating to farm animals	
PROP 205 Proposed by initiative petition relating to voting by mail	
PROP 206 Proposed by initiative petition relating to smoking	



PROP 207	Proposed by initiative petition relating to eminent domain	
PROP 300	Referred to the people by the legislature relating to public program eligibility	
PROP 301	Referred to the people by the legislature relating to probation for methamphetamine offenses	
PROP 302	Recommendation of the Commission on salaries for elective state officers relating to legislators' salaries	

Arguments submitted for/against propositions	0
Ballot Proposition Education - Town Halls	0

## Principal/Public Bodies/Lobbyist

### PRINCIPAL

▪ Initial registrations filed	1,041
▪ Registration reminder notices mailed	932
▪ Amendments to registration filed	328
▪ Terminations to Principal Registration filed	154
▪ Annual Reports filed	1017
▪ Annual Report Reminder Notices/Failure to File Letters mailed	360
▪ Delinquent Annual Reports turned over to the Attorney General's Office	32

### PUBLIC BODY

▪ Initial registrations filed	242
▪ Registration reminder notices mailed	252
▪ Amendments to registration filed	106
▪ Terminations to Public Body Registration filed	21
▪ Annual Reports filed	259
▪ Annual Report Reminder Notices/Failure to File Letters mailed	115
▪ Delinquent Annual Reports turned over to the Attorney General's Office	17

### LOBBYIST

▪ Lobbyist registrations filed	687
▪ Registration reminder notices mailed	782
▪ Registration Failure to File letters mailed	237
▪ Quarterly Expenditure Reports filed	3,269
▪ Quarterly Expenditure Report Reminder Notices mailed	2,265
▪ Quarterly Expenditure Report Failure to File letters mailed	320
▪ Delinquent Quarterly Reports turned over to the Attorney General's Office	17

## Campaign Finance

### Statements of Organization

▪ Candidates Committees	210
▪ Non-Candidate Committees	71
▪ Amendments	249

### Campaign Finance Reports

▪ Amendments	519
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▪ Total Campaign Finance Reports Filed	1,933
Filed via Internet	1,880
Filed via Diskette	53
▪ Candidate Campaign Finance Reports	625
▪ Non-Candidate Political Committee Finance Reports	1,308

#### **Clean Elections**

▪ Applications for Certification As A Participating Candidate	148
▪ Qualifying Contribution Slips	47,633
▪ Candidates Qualified as Clean Election “Participating “ Candidates	72

### **Programs & Success Stories**

#### **Voter Outreach**



In FY '06 the Secretary of State partnered with the Arizona Students' Association to educate college students on the importance of voting. The Secretary of State's office participated in several other voter outreach activities during the fiscal year. These included the continuation of the 18-year-old birthday card program where every Arizona resident registered with Motor Vehicle Division receives a birthday card and voter registration form upon turning 18. Non-partisan Voter Registration drives were held at various locations around the state, providing assistance to many organizations and communities.

### **Election Officer Education, Training and Certification Programs**

#### **Initial Class**

Pursuant to A.R.S. § 16-407(D), the Election Officer Education, Training and Certification Program was conducted by means of two 25-hour initial certification classes held in Phoenix – one the week of July 11 – 15, 2005, and the other the week of August 1 – 5, 2005. Both classes were well attended. During the week each participant was required to spend four hours using a wheelchair in order to reinforce the training received in the disability awareness segment of each session. At the end of each week participants were required to pass a comprehensive final exam. The exam contained 83 multiple choice, true false and fill in the blank questions. Certificates of Attendance were also presented to attendees.

Those certified to perform official election duties for the 2006 elections attended the classes. Other election officials receiving certification included staff members of county election departments, recorders' offices, board of supervisor's offices, county attorney's offices, county school superintendent offices, data processing departments, deputy city clerks, staff attorneys from Legislative Council and the House and Senate, a member of the Citizens Clean Elections Commission, members of the Secretary of State's office as well as election officials from the Pascua Yaqui Indian tribe.

#### **Election Officer Certification and Certificate of Attendance**

Election Officer Certification Program, diplomas to Arizona election officials	279
County Recorders who completed the Program	13
Chief Deputy County Recorders who completed the Program	10

County Election Directors who completed the Program	15
Clerks of the Board of Supervisors (Two of these clerks also serve as election directors in their counties)	5
County Attorneys who completed the Program	1
City/Town Clerks who completed the Program	9
Certificates of Attendance	11

### Recertification Class

Recertification Education Training was conducted at a ten-hour re-certification class that was required for those individuals who were previously certified in 2003. Recertification classes were held in four counties, for those individuals who were previously certified in 2003, by attending a ten-hour re-certification class. These sessions, held between September 19, 2005 and October 14, 2005, were well attended and the feedback from the election officials was positive.



These mandatory classes covered the following curriculum:

- Update on new laws including statutes, court cases, Constitutional amendments & Attorney General opinions
- Voter Registration including the state-wide database (VRZ-II), proof of citizenship & the new registration form
- Polling place procedures including uniform guidelines for poll workers, the procedures manual, identification at the polls and provisional ballots
- ADA Compliance, ADA requirements & accessible voting systems
- Voter education & voter outreach regarding proof of citizenship, ID at the polls, & new accessible voting equipment
- Ethics
- Military & Overseas Voters including HB 2288 & new federal forms
- Re-districting update
- Election & voting security
- Campaign finance
- Canvassing a state-wide election

## Identification at the Polls

On Nov. 2, 2004, the voters passed into law Proposition 200, which requires voters who vote at the polls to present one form of identification that bears the name, address and photograph of the voter or two different forms of identification that bear the name and address of the elector before receiving a ballot.

Pursuant to A.R.S. § 16-452(A), Secretary of State Jan Brewer drafted rules to implement this identification at the polls requirement. Election procedures establishing identification at the polls were announced on Aug. 12, 2005. The announcement was the culmination of several months of work to forge an election procedure requiring voters to produce sufficient identification at the polls prior to receiving a ballot, as mandated by the voters pursuant to Proposition 200.

In accordance with A.R.S. § 16-452(B), these rules were approved by the Attorney General and Governor on Sept. 6, 2005, and was precleared by the United States Department of Justice on Oct. 7, 2005.

Several court battles ensued over Prop. 200 issues but the courts upheld the proof of citizenship and identification at the polls requirements.

Highlights of the September 2005 procedure include:

- A voter without appropriate identification will be permitted to cast a conditional provisional ballot that will count upon presentation of identification by the voter to the county recorder within 3 days after a primary election and within 5 days after a general election.
- A voter who presents appropriate identification as required in Proposition 200, but whose name does not appear on the precinct register will be permitted to vote a provisional ballot that is verified by the County Recorder before being counted.
- A valid tribal enrollment card or other form of tribal identification will be considered sufficient identification to be issued a provisional ballot.
- The voter's mailing address will be added to the official signature roster at the polling place to ensure any voters with a P.O. Box on their identification will be sufficiently covered.
- Notice of this new identification procedure at the polls will be included with sample ballots and the Secretary of State's Publicity Pamphlet and mailed to each household with a registered voter in FY '07.

## Brewer Voting Action Plan



In August 2005 Secretary of State Brewer called for additional security election practices. The new procedures are an extension of the Brewer Voting Action Plan, which is a comprehensive study and recommendations released earlier in 2005 that focused on election technology, policies, procedures, and security.

The specific new procedures that the Secretary of State's office will work to implement include:

- Ensuring that no single person is in charge of election setup, programming, card burning, tallying and reporting

- Increasing security procedures around the handling and programming of voting machines so that two election officials must sign off on all card swaps or removals
- Specifically identifying all memory cards so that a card from another source is easily identifiable
- Sealing memory cards in voting devices until the machine is returned to election central
- Improving security around the transportation of memory cards
- Improving software auditing procedures for election management computers
- Reconciliation of canvass reports from the election management system against the paper tape totals generated at the polls
- Increasing penalties for tampering with election equipment or software

### **Changes Announced to Modernize Recount and Election Contest Laws**

Election reform efforts were announced as a result of a report by the Secretary of State's Recount and Contested Election Law Advisory Committee. This committee consisting of state, county, and local election experts was appointed by Secretary Brewer to perform a comprehensive review of Arizona's recount and contested election laws and procedures as set forth in the Brewer Voting Action Plan.

The committee's report titled, "Improving Arizona's Recount and Election Contest Laws," recommended several key changes to update and improve Arizona's recount and election contest laws and to take into consideration current and future voting equipment technology. The report is on file with the office for public review.

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### **Statewide Voter Registration System (VRAZ)**

The State of Arizona awarded the Statewide Voter Registration contract in November of 2005. The centralized statewide voter registration system compares voter registration records with other data sources to ensure the accuracy, integrity and uniqueness of the voter registration list in Arizona. The VRAZ system compares voter registration records with the Motor Vehicle Division (identity and citizenship), courts (felony and incapacitated cases), Department of Health Services (death records) and other counties records (duplicates). The new centralized statewide voter registration system also facilitates common processes among counties. Major enhancements to the system were being developed during FY 2006 and are scheduled to be implemented in 2007

## Accessible Voting Devices



During FY 2006, the Secretary of State procured 2,566 accessible voting devices to be used in every polling place in the State. These voting devices now enable disabled voters, including those who are blind and visually impaired, to vote in private and without assistance for the first time in the history of our State. The accessible voting devices were used by Pinal and Navajo counties in the May 2006 jurisdictional elections. All counties will utilize these devices in the 2006 Primary and General elections.



## Language and Physical Accessibility



In June of 2006, Arizona was awarded a grant in the amount of \$177,764 from the Department of Health and Human Services (HHS) to improve voting access for individuals with disabilities. This funding is utilized by the counties to improve accessibility at their polling places. Examples include ballot alert call systems, portable ramps, and polling place accessibility survey tools. The monies received in Fiscal Year 2006 brought the total amount of HHS grant monies received by the Secretary of State over four years to approximately \$700,000.

## Military and Overseas Voters

In May of 2004 the office implemented a new military and overseas program that allowed military personnel or citizens stationed overseas to conveniently take care of their voting needs. Since the start of the program many have taken advantage of the special Web site at [www.azsos.gov/election/military.htm](http://www.azsos.gov/election/military.htm) that offers useful information. The site also helps to facilitate voter registration and early ballot requests for those military and overseas voters.



The Internet system allows for military and overseas citizens to submit their requests for early ballots by online or by facsimile. Voters located in 59 different nations such as Afghanistan, Argentina, New Zealand, Iraq, Kuwait, Nairobi, Nepal and South Korea have taken advantage of the Secretary of State's new Military and Overseas program since it began. The system also provides for ballots and voter registration materials to be provided via electronic transmission to the voter and for return of the voted ballot. Security procedures are addressed in the state's election procedures manual by making sure that ballots are printed on a secured printer and sealed.

## EZ Voter

**Registrations Submitted  
through EZ Voter**

266,957





The EZ Voter program is an e-Government application that allows citizens of Arizona to completely register to vote over the Internet in either English or Spanish. A citizen can use EZ Voter to initially register to vote or to modify their voter registration. EZ Voter is the only truly online voter registration system in the country that utilizes the Motor Vehicle Division's digital signature to complete a voter registration.

In October of 2005, the Secretary of State's office partnered with the Arizona Motor Vehicle Division (MVD) to integrate the driver license application and voter registration into one form. The Secretary of State's office and the MVD submitted the proposal to the U.S. Department of Justice for preclearance. The project was precleared and implemented in FY '06.

While customers could always obtain a voter registration form at an MVD office, the program gave them the ability to register to vote automatically if they checked a box on the driver license application stating they wish to register to vote. In FY 2006, more than 50 percent of all Arizona voter registrations completed electronically through the EZ Voter program, making it the most popular method for citizens to register to vote.

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### Know Before You Go



*Secretary of State Jan Brewer helps answer voter's questions during the "Know before you go" phone bank campaign.*

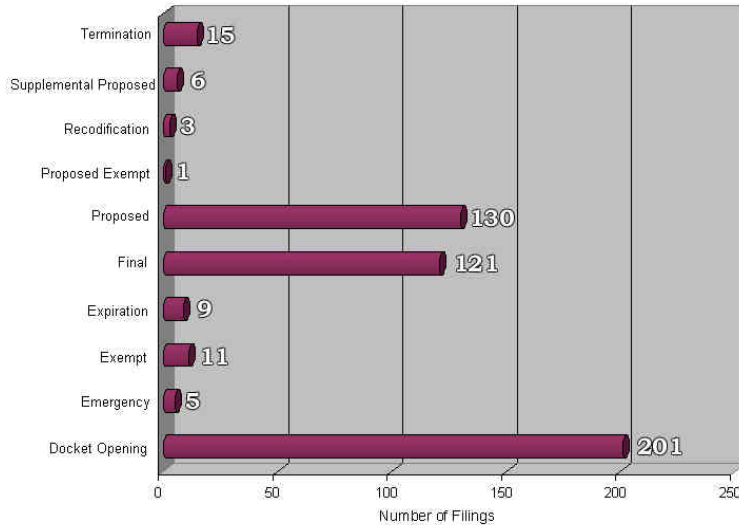
In March and May 2006 Secretary of State Jan Brewer set up a live phone bank for three consecutive days leading up to the elections along with election day.

Known as the "Know Before You Go" phone bank, it was a useful resource for voters to help ensure that individuals arrive at their polling site with the correct form of identification. Voters could also call 1-877-THE-VOTE toll-free, and speak to Secretary of State staff about what type of identification they should bring to the polls on May 16.

The May elections were the second large scale elections impacted by the new voter identification requirements passed by voters in 2004 as part of Proposition 200.

PUBLICATIONS, LEGISLATIVE & RULE FILINGS

**Rulemaking Package Filings By Type of Notice**



## The Public Services Division

**State Agency Rules Filed** The chart to the left shows the rulemaking activity for the state's agencies in FY '06. To learn more, turn to the "Rulemaking Package Filings by Notice" in this section of the Annual Report.



### Contact Information

#### Administrative Rules

Phone: 602.542.4751 Fax: 602.542.4366

#### Publications and Chaptered Bills

Phone: 602.542.4086 Fax: 602.542.7386

e-mail: [pubs@azsos.gov](mailto:pubs@azsos.gov)

#### Mailing Address and all rules-related filings:

Public Services Division  
Arizona Secretary of State  
1700 W. Washington St., 7<sup>th</sup> Floor  
Phoenix, AZ 85004

#### To purchase or pick-up office publications (walk-ins):

Customer Service Center  
14 N. 18th Ave.  
Phoenix, Arizona

This location is conveniently located across the street from the executive tower in downtown Phoenix.

### Mission Statement

To provide public information, process publication requests, file agency rules, publish the *Arizona Administrative Code* and the *Arizona Administrative Register*, chapter and print legislative bills, and publish statutorily mandated and other informational publications and documents while serving the public efficiently and professionally.

### Description

The Public Services Division files and publishes the rules of the state's agencies in quarterly supplements to the Arizona Administrative Code and in the weekly Arizona Administrative Register. A.R.S. § 41-1001(17) states: "Rule" means an agency statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of an agency. Rule includes prescribing fees or the amendment or repeal of a prior rule but does not include intra-agency memoranda that are not delegation agreements. Subscriptions to the Code and Register are maintained.



The Division assigns chapter numbers and reproduces for public distribution chapter (slip) laws as passed by the Legislature and signed by the governor and maintains subscriptions to chapter laws.

The Division prepares and prints most of the publications for the Secretary of State's office including: the state and U.S. constitution; the residential landlord and tenant act; the Arizona Blue Book; and numerous other documents, pamphlets, and booklets for each division.

The Division maintains both paper and electronic (online) versions of publications. Both the paper and electronic publications are produced in-house saving taxpayer dollars.

The Public Services Division supports the other SOS divisions in preparation and printing (paper and electronic) of publications, office documents and public records, and special projects. The Division processes the mail for the Secretary of State's office.

## Key Staff

**Scott Cancelosi:** Director, responsible for division operations and human resources; and the planning and implementation of division improvements, including records retention management. He is also responsible for secretary of state special projects, supporting other division goals and mission statements with graphic design, photography, releasing press and media announcements and Web site support.

## Arizona Revised Statutes Duties

Legislative bills, slip laws – files, chapters and prints original engrossed bills passed by the Legislature. A.R.S. § 41-121(7) “Publish slip laws of each act of the legislature promptly upon passage and approval of such act, make such acts available to interested persons for a reasonable fee to compensate for the cost of printing and provide each house of the legislature and the legislative council with a certified copy of each bill or resolution, showing the chapter or resolution number of each, as each is filed in the Secretary of State's office.”

Memorials & Resolutions, passed by the Legislature – files and prints [A.R.S. § 41-121(7)] see above.

Governor Veto Letters – files and prints

Transmits Memorials and/or Resolutions [A.R.S. § 41-121(1)] – “receive bills and resolutions from the Legislature, and perform such other duties as devolve upon the Secretary of State by resolution of the two houses or either of them”.

## General Filings

Prints in the Arizona Administrative Register and Semi-Annual Index:

- Attorney General Opinions [A.R.S. § 41-1013(B) (4)], publishes a summary in the *Administrative Register*.
- County Rule Notices, files and prints [A.R.S. § 49-112].
- Final Delegation Agreements [A.R.S. § 41-1081 et seq.] A.R.S. § 41-1001(6) definition of a delegation agreement - "Delegation agreement" means an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers or duties conferred on the delegating agency by a provision of law. Delegation agreement does not include intergovernmental agreements entered into pursuant to Title 11, Chapter 7, Article 3.”
- Guidance Documents (Agency), files and prints [A.R.S. § 41-1013(B)(14)].

- Governor's executive orders of general applicability, publishes in the *Administrative Register* [A.R.S. § 41-1013(B)(2)].
- Governor's appointments of public officials and members of the state's boards and commissions. [A.R.S. § 41-1013(B)(5)].
- Governor's statement of reasons for granting a commutation, pardon, reprieve, stay or suspension of execution, files and publishes [A.R.S. § 41-1013(B)(3)].
- Notices of oral proceedings, public workshops or other meetings on an open rulemaking docket [A.R.S. § 41-1013(B)(15)].
- Ombudsmen (Agency), ie. agency liaison, A.R.S. requirement is to print in the *Administrative Register* [A.R.S. § 41-1006].
- Proclamations of general applicability - files, proclamations and publishes in the *Administrative Register* [A.R.S. § 41-1013(B)(3)].
- Proposed Delegation Agreements, files and publishes [A.R.S. § 41-1081(B)].
- Substantive Policy Statements [A.R.S. § 41-1013(B)(14)].

#### **Rule Related Filings**

Files and prints in the Arizona Administrative Register, and/or the Arizona Administrative Code. Refer to statute for more information.

- Docket Openings, state agencies, boards and commissions [A.R.S. § 41-1013(B)(7)].
- Emergency Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(10)].
- Exempt Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(13)]. The Administrative Procedure Act requires the Register publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; rules may exempt by other statutes or court decisions.
- Expired Rules, Notice of [A.R.S. § 41-1056(E)].
- Final Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(9)]. The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those that have appeared in the Register first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the attorney general. The secretary of state shall publish the notice along with the preamble and the full text in the next available issue of the Register after the final rules have been submitted for filing and publication.
- Final Summary Rulemaking [A.R.S. § 41-1027]
- Formal Rulemaking Advisory Committee [A.R.S. § 41-1021(C) and (D)]
- Governor's Regulatory Review Council (G.R.R.C.) Summaries of Action Taken [A.R.S. § 41-1013(B)(12)].
- G.R.R.C. Agenda
- Proposed Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(8)].
- Proposed Summary Rules [A.R.S. § 41-1027]

- Public Information, Notice of - Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the Register.
- Recodification of Rules, state agencies, boards and commissions. When the Secretary of State's office finds it necessary to recodify a chapter in order to maintain the integrity of the codification system or whenever an agency requests, in writing, that the office recodify an entire chapter or portion of a chapter, the office will publish a Notice of Recodification in the Register and make the change in the Arizona Administrative Code.
- Supplemental Proposed Rules [A.R.S. § 41-1013(B)(11)].
- Terminated Rules, state agencies, boards and commissions.
- Incorporated by reference material - maintains and incorporated by reference library of items filed with rules through 2003.

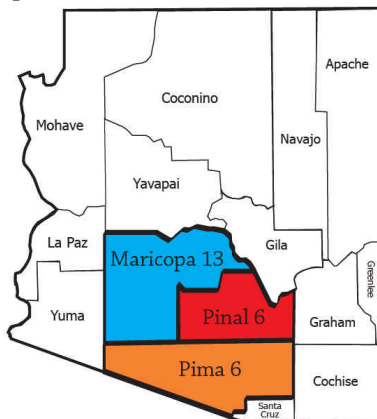
**Publishes, prints and/or posts on the Secretary of State Web site.**

- Annual Report, posts and prints upon request [A.R.S. § 41-4153]
- Arizona Administrative Register, publishes in paper and electronically to Web site [A.R.S. §§ 41-1011 and 41-1013].
- Arizona Administrative Code, publishes in paper and electronically to Web site [A.R.S. §§ 41-1011 and 41-1012].
- Arizona Rulemaking Manual, publishes in paper and electronically to the Web site.
- Arizona Blue Book, publishes [A.R.S. § 41-131].
- Residential Landlord and Tenant Act, publishes and posts [A.R.S. § 33-1322].
- Mobile Home Parks Landlord and Tenant Act "Make available to the public, without charge, Title 33, Chapter 11 on the secretary of state's Web site" [A.R.S. § 41-121(12)].

**Public Services FY '06 Statistics**

The division receives a number of filings that are published in the *Arizona Administrative Register*.

**County Notices published under A.R.S. § 49-112**



When authorized by law, a county may adopt a rule, ordinance or other regulation that is more stringent than or in addition to a provision of this title or rule adopted by the director or any board or commission authorized to adopt rules pursuant to this title (Title 49, The Environment). County Notices filed dropped almost 50 percent from the previous FY.

**Total Notices Filed = 25**  
**Maricopa = 13**  
**Pima = 6**  
**Pinal = 6**

## Governor's Executive Orders published under to A.R.S. § 41-1013(B)(2)



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

*Janice K. Brewer*  
GOVERNOR

DONE at the Capitol in Phoenix on this 4<sup>th</sup> day of February in the Year Two Thousand Five and of the independence of the United States of America the Two Hundred Twenty-Ninth.

ATTEST:  
*Janice K. Brewer*  
SECRETARY OF STATE

The *Register* shall contain... each governor's proclamation of general applicability.

**Total Executive Orders = 21**

## Governor's Regulatory Review Council (GRRC)

The Governor's Regulatory Review Council was created by Executive Order in May 1981. The Council reviews most rules to ensure that they are necessary and to avoid duplication and adverse impact on the public.

GRRC Deadlines

**Total published = 2**

GRRC Agenda and Summary on Council Action

**Total published = 14**

## Notice of Agency Guidance Document

Guidance documents are written expressions that inform the general public of an agency's current approach to rule or regulation practice.

Department of Health Services

**Total published = 15**

Department of Revenue

**Total published = 1**

**Total Agency Guidance Documents filed = 16**

## Notice of Agency Ombudsmen

The Administrative Procedure Act requires the publication of agency ombudsman. Agencies that employ more than 100 people shall publish annually in the *Register* the name or names of those employees who are designated by the agency to assist members of the public or regulated community in seeking information or assistance from the agency (A.R.S. § 41-1006).

Agencies filing this notice include:

Arizona Health Care Cost Containment System

**Total Notices of Agency Ombudsmen filed = 1**

## Notices of Public Hearings

Two types of Notices of Public Hearings can be filed. They are: Notices of Public Meeting on Open Rulemaking Dockets and Notices of Public Hearing on Proposed Rulemakings.

**Total public hearing notices filed = 3**

## Notice of Substantive Policy Statements

Substantive policy statements are written expressions that inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act.

**Total notices filed = 46**

## Notice of Proposed Delegation Agreement

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the *Register*. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers, or duties conferred on the delegating agency by a provision of law. Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the *Register*, the agency shall provide persons the opportunity to submit in writing statements, arguments, data, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest.

The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

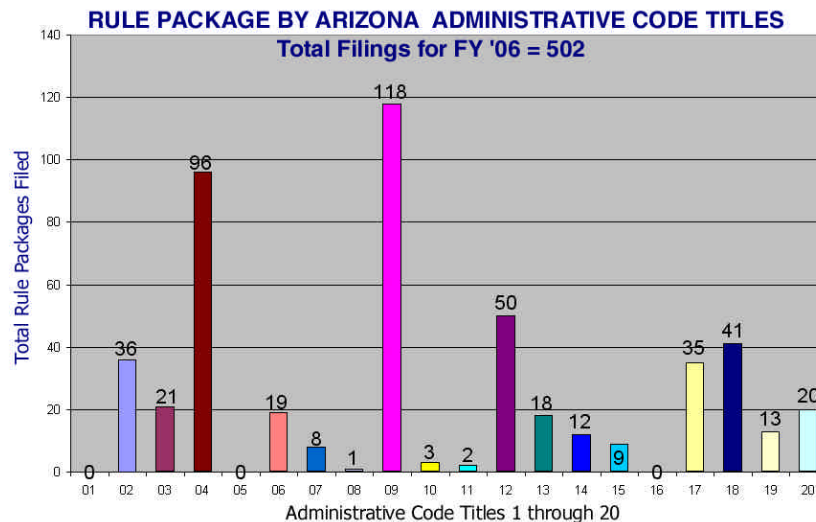
**Total agreements filed = 21**

## Notice of Public Information

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*.

**Total Filed = 24**

## Rules Filed



## SECRETARY OF STATE ANNUAL REPORT FY 2006

This chart shows the total number of filings by *Arizona Administrative Code* title (categories). Title categories are:

- Title 1. Rules and the Rulemaking Process
- Title 2. Administration
- Title 3. Agriculture
- Title 4. Professions and Occupations
- Title 5. Corrections
- Title 6. Economic Security
- Title 7. Education
- Title 8. Emergency and Military Affairs
- Title 9. Health Services
- Title 10. Law
- Title 11. Mines
- Title 12. Natural Resources
- Title 13. Public Safety
- Title 14. Public Service Corporations; Corporations and Associations; Securities Regulation
- Title 15. Revenue
- Title 16. Tax Appeals
- Title 17. Transportation
- Title 18. Environmental Quality
- Title 19. Alcohol, Dog and Horse Racing, Lottery and Gaming
- Title 20. Commerce Banking and Insurance

Titles 1, 5, and 16 did not have any rulemaking filings during this fiscal year. The previous fiscal year four titles did not have filings.



Title 9, Health Services had the most filings at 118 rule-related packages (this was the same number of filings as the previous fiscal year). Title 4, Professions and Occupations had 96 filings. This was a decrease from the previous fiscal year of 14 rulemaking filings.

Total rule-related filings for the fiscal year dropped only three filings in FY '06 compared with the drop of 46 filings in the previous fiscal year.

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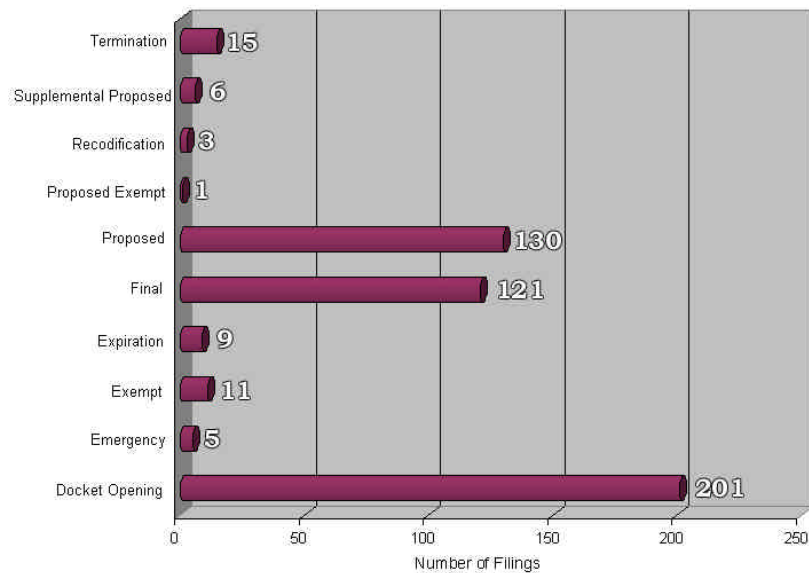
### Page Counts for Rule Publications

The average page count for an *Arizona Administrative Code* supplement was more than 1,700 pages with more than 1,271,124 impressions made for publication of the *Code* for subscribers during the fiscal year.

The total page count for Volume 11, 2005, of the *Arizona Administrative Register* was 5,580. This volume had 310 more pages than Volume 10, 2004. The page count for Volume 12, 2006, of the *Arizona Administrative Register* through June 30, 2006, (end of the fiscal year) was 2,358. This page count is 70 less than FY '06.

## Rulemaking Package Filings By Type of Notice

### Rulemaking Package Filings By Type of Notice



The chart above shows rulemaking filings for fiscal year '06. Fifteen rulemakings were terminated (one more than FY '05), while nine rules expired (14 expired in FY '05). If an agency does not file a five-year rule review report with the Governor's Regulatory Review Council (GRRC) including a revised report; or if an agency does not file an extension before the due date of the report; or if an agency files an extension but does not submit a report within the extension period; the rules scheduled for review expire. GRRC is required to notify the secretary of state that the rules have expired and are no longer enforceable. The expiration notice is published in the *Administrative Register*, and the rules are removed from the *Administrative Code*.

Five emergency rulemaking packages were filed, the same as in FY '05. Under the Administrative Procedure Act (APA), an agency may determine that adoption, amendment, or repeal of a rule is necessary for immediate preservation of the public health, safety, or welfare and the notice and public participation requirements are impracticable. Under this determination, the agency may adopt the rule as an emergency and submit it to the attorney general for review. The attorney general approves the rule and then files it with the secretary of state. The rule remains in effect for 180 days. An emergency rule may be renewed for one 180-day period if the requirements of A.R.S. § 41-1026 are met. If the emergency rule is not renewed or the rule is not permanently adopted by the end of the 180-day period, the emergency rule expires and the text of the rule returns to its former language in the *Arizona Administrative Code*. If any former language did not exist a historical note would reflect that an emergency rule was once in the section.

There were four less docket openings this fiscal year compared with the previous fiscal year. During this time 201 Docket Opening were filed. Under the APA, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

For this fiscal year 130 Notice of Proposed Rulemakings were filed. This is a decrease of four rulemaking filings from the previous fiscal year. Notices of Proposed Rulemakings contain a preamble and the full text of the rules. The Secretary of State's office publishes each notice in the *Register* within three weeks of filing. An agency must allow at least 30 days to lapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022).

**SECRETARY OF STATE ANNUAL REPORT FY 2006**

The most notable increase from the previous fiscal year was in Final Rulemakings filed with the office. They increased by 19 filings. This may be due to less expirations and one less termination of rulemakings. It also means that more proposed rulemakings made it to the final stage of the process than in the past two fiscal years.

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### **Number of Filings by Month**

<b>Monthly Statistics</b>	<b>FY '04</b>	<b>FY '05</b>	<b>FY '06</b>
July 2005	35	55	38
August 2005	42	38	35
September 2005	41	44	47
October 2005	50	34	32
November 2005	46	27	47
December 2005	38	47	46
January 2006	47	51	29
February 2006	61	33	43
March 2006	59	44	47
April 2006	39	32	37
May 2006	35	39	42
June 2006	62	61	59

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### **Number of Filings by Chapter**

AGENCY, BOARD OR COMMISSION, [CODE TITLE-CODE CHAPTER], NUMBER OF FILINGS

- Acupuncture Board of Examiners [04-08], 1
- Aggregate Mine Land Reclamation [11-03], 2
- Arizona Criminal Justice Commission [10-04], 3
- Arizona Emergency Response Commission [08-04], 1
- Arizona Health Care Cost Containment System (AHCCCS), Administration [09-22], 21
- Arizona Health Care Cost Containment System (AHCCCS), Arizona Long-term Care System [09-28], 9
- Arizona Health Care Cost Containment System (AHCCCS), Children's Health Insurance Program [09-31], 8
- Arizona Health Care Cost Containment System (AHCCCS), Health Care for Private Employer Groups/AHCCCS Administered [09-27], 2
- Arizona Health Care Cost Containment System (AHCCCS), Medicare Cost Sharing Program [09-29], 3
- Arizona Health Care Cost Containment System (AHCCCS), Medicare Part D Prescription Coverage Extra Help Subsidy Program [09-30], 3
- Arizona Medical Board [04-16], 3
- Arizona Navigable Stream Adjudication Commission [12-17], 1
- Arizona Peace Officer Standards and Training Board [13-04], 2
- Arizona Racing Commission [19-02], 4
- Arizona State Lottery Commission [19-03], 7
- Arizona State Parks Board [12-08], 4



**SECRETARY OF STATE ANNUAL REPORT FY 2006**

- Banking Department [20-04], 3
- Board of Accountancy [04-01], 3
- Board of Appraisal [04-46], 3
- Board of Behavioral Health Examiners [04-06], 2
- Board of Chiropractic Examiners [04-07], 4
- Board of Cosmetology [04-10], 4
- Board of Dispensing Opticians [04-20], 3
- Board of Examiners for Nursing Care Institution Administrators and Assisted Living Facility Managers [04-33], 2
- Board of Funeral Directors and Embalmers [04-12], 1
- Board of Manufactured Housing [04-34], 2
- Board of Massage Therapy [04-15], 5
- Board of Nursing [04-19], 3
- Board of Osteopathic Examiners in Medicine and Surgery [04-22], 6
- Board of Pharmacy [04-23], 29
- Board of Physical Therapy [04-24], 4
- Board of Podiatry Examiners [04-25], 3
- Board of Psychologist Examiners [04-26], 1
- Board of Respiratory Care Examiners [04-45], 2
- Board of Technical Registration [04-30], 9
- Citizens Clean Elections Commission [02-20], 4
- Corporation Commission, Fixed Utilities [14-02], 3
- Corporation Commission, Investment Management [14-06], 2
- Corporation Commission, Rules of Practice and Procedure [14-03], 2
- Corporation Commission, Securities [14-04], 5
- Department of Administration [02-01], 1
- Department of Administration, Personnel Administration [02-05], 5
- Department of Administration, Purchasing Office, Finance Division [02-07], 3
- Department of Administration, Risk Management Section [02-10], 4
- Department of Agriculture, Agricultural Councils and Commissions [03-09], 4
- Department of Agriculture, Animal Services Division [03-02], 2
- Department of Agriculture, Plant Services Division [03-04], 7
- Department of Building and Fire Safety [04-36], 5
- Department of Commerce [20-01], 2
- Department of Economic Security [06-01], 1

**SECRETARY OF STATE ANNUAL REPORT FY 2006**

- Department of Economic Security, Aging and Adult Administration [06-08], 1
- Department of Economic Security, Cash Assistance Program [06-12], 1
- Department of Economic Security, Child Support Enforcement [06-07], 2
- Department of Economic Security, Developmental Disabilities [06-06], 2
- Department of Economic Security, Food Stamps Program [06-14], 1
- Department of Economic Security, General Assistance Program [06-17], 1
- Department of Economic Security, Job Training Partnership Act (JTPA) [06-11], 1
- Department of Economic Security, Licensing, Certification, and Regulation [06-18], 1
- Department of Economic Security, Rehabilitation Services [06-04], 1
- Department of Economic Security, Social Services [06-05], 5
- Department of Economic Security, The JOBS Program [06-10], 1
- Department of Economic Security, Unemployment Insurance [06-03], 1
- Department of Environmental Quality, Administration [18-01], 5
- Department of Environmental Quality, Air Pollution Control [18-02], 14
- Department of Environmental Quality, Environmental Reviews and Certification [18-05], 1
- Department of Environmental Quality, Permits and Compliance Fees [18-14], 2
- Department of Environmental Quality, Pesticides and Water Pollution Control [18-06], 1
- Department of Environmental Quality, Remedial Action [18-07], 6
- Department of Environmental Quality, Safe Drinking Water [18-04], 1
- Department of Environmental Quality, Solid Waste Management [18-13], 2
- Department of Environmental Quality, Underground Storage Tanks [18-12], 2
- Department of Environmental Quality, Waste Management [18-08], 3
- Department of Environmental Quality, Water Pollution Control [18-09], 1
- Department of Environmental Quality, Water Quality Standards [18-11], 3
- Department of Health Services, Administration [09-01], 5
- Department of Health Services, Arizona Medically Underserved Area Health Services [09-24], 5
- Department of Health Services, Child Care Facilities [09-05], 1
- Department of Health Services, Communicable Diseases and Infestations [09-06], 2
- Department of Health Services, Emergency Medical Services [09-25], 10
- Department of Health Services, Food, Recreational, and Institutional Sanitation [09-08], 4
- Department of Health Services, Health Care Institutions: Licensing [09-10], 6
- Department of Health Services, Health Care Institutions: Rates and Charges [09-11], 3
- Department of Health Services, Health Programs Services [09-13], 5
- Department of Health Services, Laboratories [09-14], 7
- Department of Health Services, Loan Repayment [09-15], 1

**SECRETARY OF STATE ANNUAL REPORT FY 2006**

- Department of Health Services, Local Health Department Services [09-18], 2
- Department of Health Services, Noncommunicable Diseases [09-04], 5
- Department of Health Services, Occupational Licensing [09-16], 2
- Department of Health Services, Oral Health [09-23], 3
- Department of Health Services, Tobacco Tax-Funded Programs [09-02], 7
- Department of Health Services, Vital Records and Statistics [09-19], 3
- Department of Health Services, Waiver Programs [09-12], 1
- Department of Insurance [20-06], 5
- Department of Library, Archives and Public Records [02-03], 1
- Department of Liquor Licenses and Control [19-01], 2
- Department of Public Safety, Alcohol Testing [13-10], 3
- Department of Public Safety, Concealed Weapon Permits [13-09], 1
- Department of Public Safety, Security Guards [13-06], 3
- Department of Public Safety, Tow Trucks [13-03], 3
- Department of Revenue, Property Tax Oversight Commission [15-12], 3
- Department of Revenue, Transaction Privilege and Use Tax Section [15-05], 6
- Department of Transportation, Administration [17-01], 1
- Department of Transportation, Aeronautics Division [17-02], 2
- Department of Transportation, Commercial Programs [17-05], 14
- Department of Transportation, Highways [17-03], 1
- Department of Transportation, Third-party Programs [17-07], 3
- Department of Transportation, Title, Registration, and Driver Licenses [17-04], 14
- Department of Water Resources [12-15], 12
- Department of Weights and Measures [20-02], 1
- Game and Fish Commission [12-04], 21
- Industrial Commission of Arizona [20-05], 9
- Law Enforcement Merit System Council [13-05], 4
- Office of the Ombudsman – Citizens' Aide [02-16], 3
- Office of the Secretary of State [02-12], 2
- Oil and Gas Conservation Commission [12-07], 1
- Private Investigator and Security Guard Hearing Board [13-12], 2
- Radiation Regulatory Agency [12-01], 6
- School Facilities Board [07-06], 4
- State Board for Charter Schools [07-05], 3
- State Board of Education [07-02], 1

- State Boxing Commission [04-03], 1
- State Land Department [12-05], 5
- State Retirement System Board [02-08], 13
- Veterinary Medical Examining Board [03-11], 8

### **Paper Subscriptions (Number of Paper Subscribers)**

<b>Publication</b>	<b>Number of Subscribers</b>
Arizona Administrative Code	186
Arizona Administrative Register	120
Chaptered Bills (the number of people requesting all bills filed)	50

### **Legislative Filings**

<b>Legislative Session</b>	<b>Filed</b>
47th Legislature, Second Regular Session (2006)  Some of these resolutions and memorials were transmitted under law. Refer to the Administration section of this annual report.	395 Chaptered Bills  4 Senate Concurrent Resolutions  9 House Concurrent Resolutions  6 House Concurrent Memorials  1 Senate Concurrent Memorials  4 House Resolutions  1 Senate Resolutions  0 House Memorials  0 Senate Memorials  43 Governor Veto Letters (copies)
47th Legislature, First Special Session (2006)	1 Governor Veto Letter (copy)

### **Other Filings**

<b>Type</b>	<b>Filed</b>
Executive Orders	21

### **Publications Printed and Distributed**

<b>Name of Publication</b>	<b>Number printed</b>
Arizona Residential Landlord & Tenant Act A.R.S. Title 33, Chapter 10	Regular print - 42,625 Large print - 5,000
Notary Handbooks	90,300
Notary 101	20,000

**SECRETARY OF STATE ANNUAL REPORT FY 2006**

AZ/US Constitution	Regular print - 2,556 Large print - 500
Kids Activity Book	1,420
Trade Name publication	1,000
State Symbol Brochure	9,896
Welcome Brochures	3,600
Lobbyists publication	1,269
Election Law Certification Manual	600
Financial Disclosure	880
Brewer Voting Action Plan	20
Electronic Voting System Instructions	100
Campaign Contributions and Expenses	800
Title 16, Chapter 6, Campaign Finance Software Handbook of Instructions	1,700
Title 19 Initiatives, Referendum & Recall Handbook	760
Contracted Fundraiser	50
Charitable Org	50

## Programs & Success Stories

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### Legislative Filings

Public Services chaptered 395 legislative bills and scanned the bills for public review online. Scanning was completed within 24 hours of filing, thus giving the public quicker access to these bills than they ever had previously.

### Administrative Rules Records Retention

Administrative rules are now on a yearly public records retention schedule to be scanned and fished, saving the taxpayers money to store these documents. File numbers are assigned to each filed document and in FY '06 this file number was included with the published rule filing in the Arizona Administrative Register. Inclusion of this file number will make it easier for future review of the original document. The office anticipates faster response times to public records requests for the original documents.